

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NEIL ROBERSON,

Petitioner,

v.

SCOTT SPEER,

Respondent.

Case No. C24-1993-RAJ

ORDER DISMISSING ACTION

The Court, having reviewed Petitioner's petition for writ of habeas corpus, the Report and Recommendation of Michelle L. Peterson, United States Magistrate Judge, and the remaining record, hereby finds and ORDERS:

(1) The Report and Recommendation is approved and adopted.

(2) Petitioner's petition for writ of habeas corpus (dkt. # 1-1) and this action are DISMISSED without prejudice to Petitioner asserting any properly exhausted claims in his pending federal habeas action filed under 28 U.S.C. § 2254, *i.e.*, *Roberson v. Speer*, C24-2030-RAJ-MLP.

(3) Petitioner's application to proceed *in forma pauperis* (dkt. # 1), and all motions filed in conjunction with his petition (dkt. ## 1-7 to 1-8), are DENIED as moot.

ORDER DISMISSING ACTION
PAGE - 1

1 (4) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the
2 United States District Courts, a certificate of appealability is DENIED.

3 (5) The Clerk is directed to send copies of this Order to Petitioner and to the
4 Honorable Michelle L. Peterson.

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6 DATED this 29th day of January, 2025.

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9 The Honorable Richard A. Jones
10 United States District Judge
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